

## **SOMB Meeting Minutes**

The regular meeting of the Sex Offender Management Board was called to order on January 20, 2011. Illinois Department of Corrections (DOC), via videoconferencing, in Chicago and Springfield, Illinois. DOC was experiencing technical difficulties with the conference/phone line as a result Chairperson Cara Smith was unable to join the meeting. Board member Alyssa Schafer called the meeting to order.

### **PRESENT:**

#### **Member(s):**

Chicago: Amy Campanelli, Jerry Isikoff, Verlin Mainz, Harry Reed, Patti Sudendorf,

Springfield: Michael Bednarz, Alyssa Schafer, Dustin Sutton, Abdi Tinwalla, Dick Winkler

#### **Non-Member(s):**

Alesia Crockett (Attorney General's Office), Craig Adams (Illinois Voices), Laurie Jo Reynolds (Sorors Justice Fellow), Craig Burge (Illinois State Police)

### **ABSENT:**

#### **Member(s):**

Excused: Cara Smith, Steve Goytia, Robin McGinnis, Sheryl Essenburg, Tracie Newton

Unexcused: Shauna Boliker, Pat Delfino, B. Kent Jones, Jack Cutrone, Mickie Owens, Carol Corgan,

### **A. Welcome/Roll Call**

Alyssa Schafer's acknowledged that Craig Adams, Illinois Voices, has been attending several meetings and asked him to provide the Board with some information about himself and the agency.

Craig Adams stated he is a journalist and a registering sex offender. He was convicted of possession of child pornography. Illinois Voices is an organization that assists in the area of reformation of sex offenders and making sure draconian laws are not passed.

### **B. Review of Meeting Minutes: November 18, 2010**

There was a brief discussion regarding the Board getting the word out of where to send the fees collected through sex offender registration. Jerry Isikoff mentioned this would be a task that the Funding Committee should follow-up on. Patti Sudendorf stated that she has reached out to Chicago to meet to discuss registration fees.

A motion was made by Verlin Mainz and seconded by Harry Reed to approve the minutes for the November 18, 2010 meeting. All Board members present approved the motion.

### **C. New Sex Offender Legislation**

#### **1. Overview of New Laws**

Craig Burge, ISP Sex Offender Registration Unit, discussed the new sex offender laws which include the Violent Offenders Against Youth Registration Act (VOAY) and other laws that effect sex offenders in Illinois. Under VOAY (Public Act 96-1294), the Board does not receive any funds, juveniles upon turning 17 years of age will appear on the VOAY website and the petition process does not apply. This Act was effective after the signing of the bill on July 26, 2010.

Craig Burge also discussed Public Act 96-1096 regarding the increase in registration fees to \$100 effective January 1, 2011. Chief Dustin Sutton stated the Tri-Counties do not collect fees. Craig added that counties still have a right to waive the fees. Alesia Crockett stated that if the full \$100 is not collect, the agency must distribute the funds collected accordingly: 30% for registering agency, 30% sent to ISP, 30% sent to the Attorney General Office and 10% for SOMB.

In addition to the above, Craig Burge discussed Public Act 96-1099 regarding sex offender being present at a park, forest preserve or conservation area under the jurisdiction of the State or unit of local government. This applies to all “sexual predators” regardless of their victim’s age. There may be some exemptions, however, at this time Soldier’s Field is considered one.

Public Act 96-1094, Craig Burge stated this Act requires a registering sex offender to notify local law enforcement if he/she is residing in a home with a minor, who is not his or her own child, within three days of residing with that child. A parent can be arrested for leaving a child unsupervised with a sex offender. Dick Winkler added that DCFS has received calls regarding this law and each complaint requires a through investigation to make a determination. Such factors consider include if the sex offender had an assessment, received treatment and poses minimal risk. DCFS can provide funds to for this assessment.

## **2. Illinois State Police (ISP) Mailing**

Craig Burge, ISP Sex Offender Registration Unit, discussed the increase in sex offender registration fees to \$100. ISP, is not required to, but would like to mail letters to all law enforcement agencies, and Illinois registrants a letter informing them of the new laws. He asked if the Board would be willing to cover the cost of the postage for the mailing. ISP would make copies of the letter, provide the mailing labels and stuff the envelopes.

ISP estimates 20,000 letters (15,000 offenders and 5,000 law enforcement and other agencies). Alesia stated there is currently \$16,793.77 in Operations and \$45,562.32 in Program accounts. She believes the cost will be paid from the Program part of the fund. Amy Campanelli states she is for informing as much as possible including probation, parole, etc.

Someone posed the question “can the letter be sent via email”. Craig Burge responded by stating ISP does not have current email address for everyone in the database. Alyssa Schafer made motion for the Board to provide \$8,600 (20,000 @ .43 each) to ISP to send a letter to registering offenders and law enforcement agencies informing them of the new laws. Dick Winkler seconded the motion. All Board members present approved the motion.

Craig Burge stated until the letters are sent, ISP plans to update the “Frequently Asked Questions” portion of the website and inform law enforcement through LEADS.

#### **D. Illinois Probation and Court Services Association Conference**

Craig Burge stated the Illinois Probation and Court Services are holding their Spring Conference, April 27-29, 2011 in Fairview Heights and are looking for presenters to conduct a two-hour presentation on sex offender legislation. Alyssa Schafer, Mike Bednarz and Abdi Tinwalla volunteered to present at the conference. Craig Burge asked Alesia Crockett to find out the number of attendees, if they prefer a breakout group or a panel discussion.

#### **E. SOMB Committee Assignment**

Jerry Isikoff asked the Board members to sign up for a Committee to assist the Board with addressing it various tasks and duties. The Board members present agreed to participate on the following Committees:

<b>Standards &amp; Guidelines</b>	Mike Bednarz Dustin Sutton Dick Winkler Abdi Tinwalla
<b>Quality Assurance of Providers &amp; Ethics and Conflict of Interest</b>	Harry Reed Jerry Isikoff Alyssa Schafer Abdi Tinwalla
<b>Funding</b>	Verlin Meinz Mike Bednarz
<b>Appointment</b>	Jerry Isikoff Verlin Meinz
<b>Legislative</b>	Amy Campanelli Patti Sudendorf Jerry Isikoff Abdi Tinwalla

#### **F. SOMB Audit: Office of the Auditor General**

Alesia Crockett discussed the on-going audit. As the present time the Board is looking at receiving two potential findings: (1) for Board Vacancies and (2) Reimbursements.

The Board had vacancies during Fiscal Years 2009 and 2010 that were longer than one year. The auditors were provided with emails to the Governors Office and meeting minutes to show the numerous attempts made to fill the vacancies.

As for the reimbursements, some were not completed/processed through accounting in a timely fashion. The Auditors recommended the SOMB purchase a date stamp to establish when reimbursement requests are received. The audit is on-going until May 2011.

#### **G. SOMB Membership**

Chief Dustin Sutton was appointed by the Governor's Office in December 2010 to fill one of two law enforcement vacancies. Currently the Board has three vacancies one for law enforcement and two for judges.

## **H. New Business**

### **Adam Walsh Act Update**

Adam Walsh (AWA) has released the second set of Federal Guidelines. Craig Burge stated that tiering systems and retroactivity were still the issues that states are struggling with. Currently, four states were found to be in compliance: Ohio, South Dakota, Florida and Delaware. In addition, two Indian territories in Michigan were found compliant. States who do not comply may lose 10% of their Byrne funding.

The Board discussed having a role in legislation by making recommendations. Alyssa Schafer response was the Board has never made recommendations in the past. Nothing in the statute allows for that, however the legislators could benefit from what the Board has to say.

Craig Adams asked has anyone done a cost analysis of the implementation of AWA? Craig Burge's response was that Department of Justice attempted to come up with an analysis but there are currently over 1,000 agencies registering sex offenders. Laurie Jo Reynolds asked was there a possibility that Illinois would make everyone register for life? Craig Burge response was that AWA guidelines are the floor not the ceiling which does not necessarily mean all lifetime will be done. It may have just been a proposal to consider. Verlin Meinz asked was the Attorney General's office taking the lead with AWA. Alyssa referred him to Cara Smith for a response to his question.

Craig Burge added that Illinois is doing great with the majority of the requirements of AWA. Dr. Abdi Tinwalla asked if the Board had a stance with regards to AWA. Alyssa responded by stating the Board "collectively" does not but as for individual agencies "yes".

### **Board Responsibilities**

Jerry Isikoff requested assistance with writing the language to amend the Board's responsibilities under the statute to present to the legislature.

In addition, Jerry suggested the Appointment Committee look at the possibility of a Board retreat this Spring or maybe wait until all the vacancies are filled.

## **I. Next Meeting: March 17, 2011 – ISP District Headquarters, Pontiac, Illinois**

## **J. Adjournment**